



105+218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-40661-2024 in/and
CRR-3066-2015 (O & M)
Date of decision: 14.10.2024

RAJAN KUMAR KAPANIA
V/S
STATE OF PUNJAB AND ANOTHER
...PETITIONER
...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Prateek Pandit, Advocate
 for the petitioner.

 Mr. Rishabh Singla, AAG, Punjab.

 Ms. Parul, Advocate for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

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For the reasons mentioned in the application, same is allowed.

Application stands disposed of.

MAIN CASE

1. Present revision petition has been preferred against the judgment dated 10.08.2015 passed by learned Additional Sessions Judge, Kapurthala, whereby the judgment dated 29.03.2014 passed by the Court of Sub Divisional Judicial Magistrate, Kapurthala, convicting the petitioner under Sections 406 and 498-A IPC has been upheld and appeal filed by the petitioner stands dismissed.
2. During the pendency of the present petition, both the parties were relegated to Mediation and Conciliation Centre of this Court, where, a written settlement agreement was made between the petitioner and respondent No.2. In



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the settlement agreement, it has been agreed between the parties that total amount of Rs.16 lacs shall be paid by the petitioner to respondent No.2 and the time and manner has also been duly recorded. On the basis of the same, both the parties have filed a joint petition under Section 13-B of Hindu Marriage Act seeking dissolution of their marriage by way of mutual consent. The entire settlement amount has been received by respondent No.2. Further, respondent No.2 has already appeared before the learned Family Court and recorded her statement in second motion. Now, the case is posted for 18.10.2024 for pronouncement.

3. In view of the above settlement and the ratio of law laid down by the Hon’ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* and *Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63* and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052*, this petition is allowed and judgment dated 29.03.2014 passed by the Court of Sub Divisional Judicial Magistrate, Kapurthala, convicting the petitioner under Section 406 and 498-A IPC and judgment dated 10.08.2015 passed by learned Additional Sessions Judge, Kapurthala upholding the judgment of conviction are hereby set aside and the petitioner stands acquitted of all the charges.

October 14, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |